

JIM BROGAN B.A., Dip. T.P., M.I.P.I., Dip. L.S., Dip. Arb., B.L.

Planning and Development Consultant.

Unit B1 Laurel Lodge Business Centre,
Laurel Lodge, Castleknock,
Dublin 15.

Phone/Fax: 01-8229682
Mobile: 087-9978393
E-mail: broganjim@eircom.net

Senior Executive Officer,
Planning Department,
Meath County Council,
Buvinda House,
Dublin Road,
Navan,
Co. Meath.
C15 Y291.

29th June 2021

My Ref: 1845/Stamullen

Re: Proposed Material Alterations to the Draft Meath County Development Plan 2021-2027.

Dear Sir/Madam,

1. I act on behalf of Mr. Patrick Dunphy, [REDACTED] My client owns a largely undeveloped block of land, covering an area of c.3.29ha., used occasionally for grazing, on the south-eastern side of Main Street adjacent to St. Patrick's Roman Catholic Church in the southern half of the settlement of Stamullen in Co. Meath. It lies between Main Street and the Delvin River.

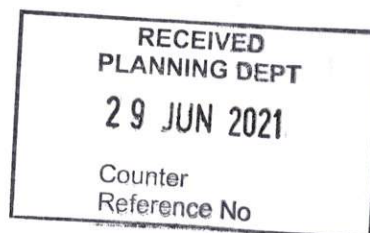
2. I made a submission on his behalf on the Draft Meath County Development Plan 2020-2026 which requested that an area of land within his landholding be rezoned from "G1 – Community Infrastructure - To provide for necessary community, social and educational facilities." to "B1 – Commercial/Town or Village Centre – To protect, provide for and/or improve town and village centre facilities and uses" (Refer: Appendix 1). The submission was registered as 'Submission No. MH-C5-874'. The Council's Chief Executive in her Report on the submissions made on the Draft Development Plan recommended the following with regard to my client's submission: -

"It is proposed to amend the land use zoning for the subject lands from G1 Community Infrastructure to B1 Commercial/Town or Village Centre."

(Refer: Appendix 2)

It is noted that the recommended zoning change includes the lands occupied by Stamullen Parish Church and the adjacent community centre and related ancillary facilities, which are outside my client's lands.

Stamullen, June 2021



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3. My client fully supports the zoning change recommended for his lands which, in my submission, is in the best interests of the proper planning and sustainable development of Stamullen for the reasons as stated in the submission made on his behalf on the Draft County Development Plan, and in the 'Chief Executive's Response to the submission.

4. The recommended change to the zoning objective for the subject lands is now the subject of a Proposed Material Alteration to the Draft Development Plan – Proposed Stamullen Amendment No. 1, subject to the addition of a provision related to the relocation of *“spot objective 1 (provision of a playground) from the B1 zoning to the north”*. This additional provision appears to have been added on foot of a Notice of Motion tabled by Councillor Alan Tobin, which is registered as NOM 154, to which reference is made in the details published in relation to the Proposed Amendment. The published proposed Material Amendment is identified as 'Proposed Stamullen Amendment No. 1) and reads as follows: -

“Amend the zoning from G1 Community Infrastructure to B1 Commercial or Village Centre and relocate sport objective 1 (provision of playground) from the B1 zoning to the north.”

(Refer: Appendix 3).

5. As I have already indicated, my client supports the proposed zoning change. He has, however, concerns about the proposed inclusion of “spot objective 1”, which relates to the provision of a playground on the subject lands, and requests that the reference thereto be removed from the Proposed Amendment for inclusion in the new County Development Plan for the reasons and considerations set out below: -

- The provision of a children's playground in Stamullen was raised in a number of submissions made on the Draft County Development Plan with several sites being identified as suitable for its location. None, however, specifically related to its location on my client's lands.

The Council's Chief Executive's Response to these submissions, in summary, was as follows: -

There is an Objective in the Draft Plan – which specifically relates to this subject: -

“STA OBJ 16: To facilitate the delivery of a town playground and land identified east of Stadalt House or alternatively on land zoned as open space along the Delvin River.”

- There is also a reference in the Draft Development Plan's written statement for Stamullen, under the heading "Social Infrastructure", to the provision of a playground in the town which reads as follows: -

"Although the town of Stamullen does benefit from passive and active open space, including the GAA grounds, there is no park or public playground within the town. The identified areas of open space are largely undeveloped including 7 hectares on the northern bank of the Delvin River. The provision of a walkway along the Delvin River and the development of these lands to provide for both passive and active open space is a key priority of the plan, in order to provide a much needed amenity provision in the town, including a public playground. Spot Objective OBJ 1 on the Land Use Zoning Map identifies the location of these lands.

It is important that any development fronting the Main Street maintains links to the Delvin River, thereby ensuring adequate connectivity and permeability to the future public park. Lands located to the west of the town east of Stadalt House have been identified for the future development of a public playground. Development in this area should allow access to the Riverside walk at design stage. Lands located to be west of the town have been identified for the future potential development of a public playground."

In the original Draft Land Use Zoning Map for Stamullen, the above-mentioned Spot Objective was shown to be an area of land zoned 'B1 Commercial/Village or Town Centre' in the northern area of the town, on its Main Street.

I would submit in light of the above-mentioned written statement for Stamullen, to which no Material Alteration is proposed, that the Spot Objective relates to the provision of the walkway along the Delvin River and the development of the subject lands for passive and active recreation including a playground, as referred to in the above-mentioned extract of the Draft Plan's written statement. I would contend that, having regard to the nature and purpose of the Spot Objective, its siting on the above-mentioned 'B1' zoned area was in appropriate. It should, I would suggest, have been shown on the northern bank of the Delvin River zoned 'Open Space' which would be consistent with the stated purpose of STA OBJ 16 for Stamullen, referred to above.

- The subject Proposed Material Amendment, contains a reference to a Notice of Motion – NOM 154 - submitted by Councillor Alan Tobin. The Notice of Motion was as follows:-

“STA OBJ: Seek the provision of a high quality central public park including a children’s playground and other appropriate recreational uses in collaboration with Meath County Council, other relevant stakeholders and the community within the lifetime of the plan. Such uses shall be subject to a Landscaping Masterplan in consultation with the local community.”

The Chief Officer’s Response to the Motion was as follows: -

“This issue was previously considered as part of Grouped submission No.

6. Part 3 of the CE’s Report on Submissions on Draft Plan refers: -

High Quality Public Open Space Provision including a Children’s Playground

“The Draft Plan identifies, as a priority, the development of a walkway and the development of these lands to provide both active and passive open space in order to provide much needed amenity in the town. In addition, the Written Statement for Stamullen supports the provision of additional community and social infrastructure including a playground, with 2 potential locations identified i.e. to the east of Stadalt or alternatively on lands along the Delvin River (Specific objectives STA OBJ 16 and OBJ 1). Whilst the issues raised in the submissions are noted in relation to the preferred location of the playground it is considered that a determination on the exact location of the playground is a specific local objective issue more relevant to the preparation of the Stamullen Local Area Plan, where it will be examined in greater detail, it is noteworthy also, that the draft LAP will be subject to public consultation where specific issues can be raised.”

The Chief Executive then recommended – *“No change recommended”*.

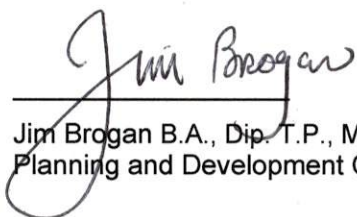
(Refer: Appendix 4).

I note from the record of the published Minutes of the Council Meeting on 6th February 2021 on the “Complete the Consideration of the Notices of Motion and Submissions relating to Stamullen” that the Chief Executive’s Recommendation for ‘no change’ with regard to Motion No. 154 was agreed by a show of hands at the meeting with a total of 25 members in agreement. No member was not in agreement (Refer: Appendix 5). Given the Chief Executive’s recommendation for no change with regard to the Notice of Motion No. 154 was accepted, how does

the Spot Objective with regard to the provision of a playground on foot, it would appear, of that Notice of Motion, appear on the Proposed Amendment for Stamullen?

It would appear, therefore, on the face of it that there are no grounds for the inclusion of the Spot Objective on my client's lands as part of 'Proposed Stamullen Amendment No. 1'.

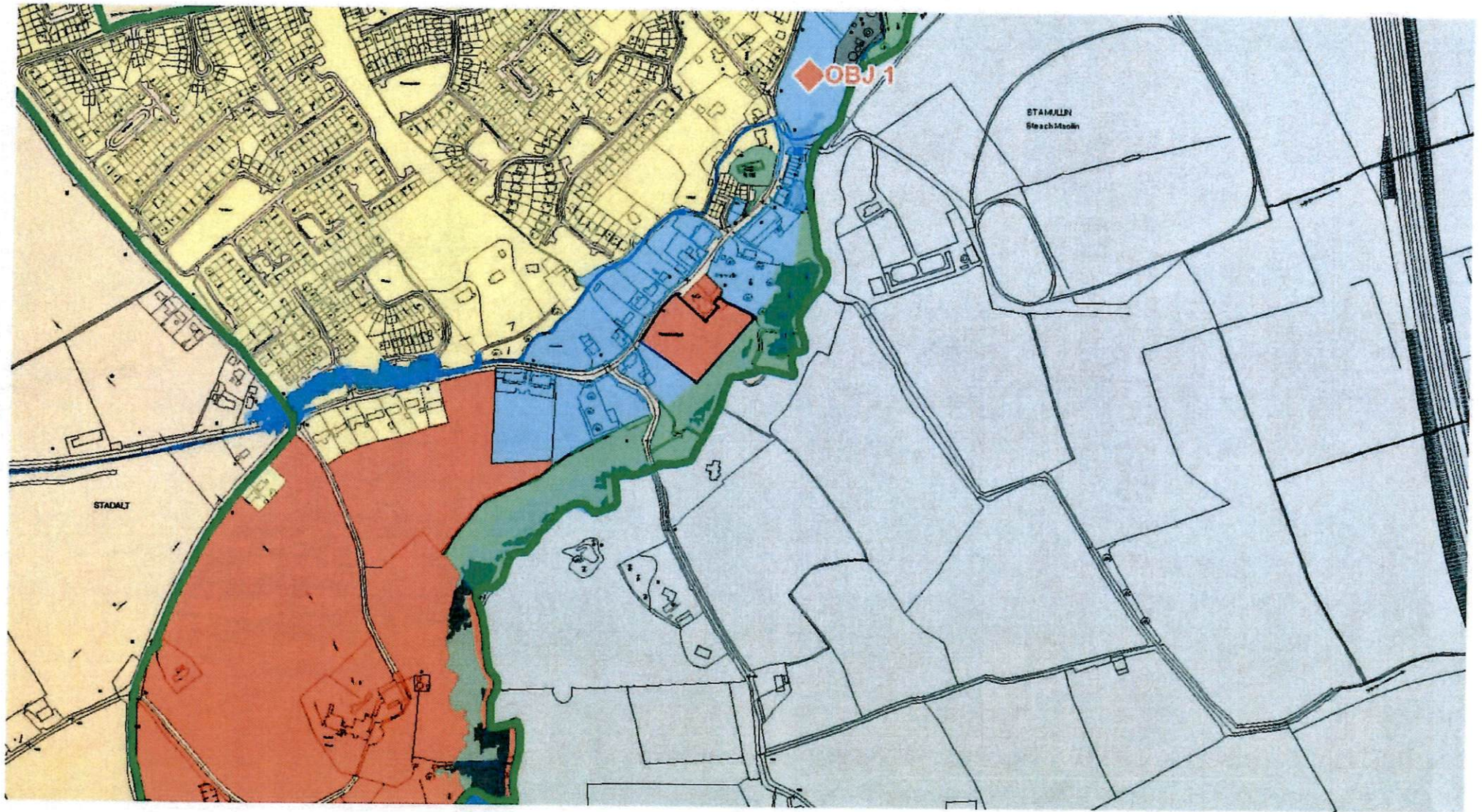
- The optimal location for the proposed playground would be within an area designated for use as an amenity space e.g. a public park, whereby it serves to complement and enhance the amenity utility/value of the host amenity space. This is recognised in the Draft Plan's written statement, referred to above, and the proposed Objective - STA OBJ 16. Its proposed siting within an area zoned for commercial/town village centre uses, as set out in the above-mentioned amendment, adjacent to an area zoned for open space purposes is not, I would submit, reconcilable with the above-mentioned provisions of the Draft Development Plan nor with the proper planning and sustainable development of the area.
6. To conclude, it is my submission on behalf of my client that, having regard to the reasons and considerations set out herein, the reference to the location of the spot objective 1 (provision of a playground) from the B1 zoning to the north onto my client's lands, which are to be rezoned for commercial/town centre and village centre purposes, should be removed from the 'Proposed Stamullen Amendment No. 1' and the zoning change as recommended by the Council's Chief Executive for my client's lands be adopted for inclusion in the new County Development Plan. If the Spot Objective is to be included in the Development Plan, I submit that it should be re-formulated to concur with the reference in the Stamullen Written Statement with regard to Objective 1 and that it be re-located to the area zoned for open space along the Delvin River, and/or also in the grounds of Stadalt House or, in the alternative, that it be omitted completely from the Plan pending consideration of the issue in the making of the new Stamullen Local Area Plan, as referred to above in the Chief Executive's Response to 'Notice of Motion No. 154'.



Jim Brogan B.A., Dip. T.P., M.I.P.I., Dip. L.S., Dip. Arb., B.L.
Planning and Development Consultant

Appendix 1.

Draft Meath County Development Plan 2020-2026
Extract – Stamullen Sheet No. 39 (a) Land Use Zoning –
Site to be re-zoned from ‘G1 – Community Infrastructure’ to ‘B1
– Commercial/Town or Village Centre’ outlined in blue.



Draft Meath County Development Plan 2020-2026
Extract – Stamullen Sheet No. 39 (a) Land Use Zoning –
Site to be re-zoned from 'G1 – Community Infrastructure' to 'B1 – Commercial/Town or Village Centre' outlined in blue.

Appendix 2.

Extract from Chief Executive's Report on Submissions made on
the Draft Meath County Development Plan 2020-2026 re:
Submission No: MH-C5-874.

management plan will be required as part of any future planning application, this will indicate the necessary boundary treatment in order to respect the privacy and amenity of neighbouring properties and other noise sensitive receptors.

Chief Executive's Recommendation

No change recommended

Submission No.:	MH-C5-874
Submitted by:	Jim Brogan Planning Consultant on behalf of Mr. Patrick Dunphy
Submission Theme(s):	Land Use Zoning Stamullen

Summary of Submission:

This submission relates to lands extending circa 3.29 Ha used occasionally for grazing on the south-eastern side of Main Street, adjacent to St Patricks Roman Catholic Church in Stamullen.

The lands are subdivided into four distinct zoned however the submission specifically relates to lands to the north east with frontage along Main Street c. 1.025 Ha which are zoned under the current CDP for G1 – Community Infrastructure.

The submission seeks the rezoning of the subject lands from G1 – Community Infrastructure to B1 – Commercial/Town or Village Centre.

The submission outlines a number of reasons for the request for rezoning which include;

- The rezoning of the lands would have the effect of releasing for development adjoining lands in particular areas to the west;
- There is no indication in the draft CDP as to the use for the subject lands and therefore for no tenable grounds for the continued retention of G1 – Community Infrastructure/
- The rezoning to B1 would broaden the range of developments possible on the subject site and enhance the development potential of the lands;
- Road / public realm improvements;
- Visual improvements; and
- Creation of linkages through the lands to the proposed riverside walk

Chief Executive's Response

The development strategy for Stamullen will focus on the development of the settlement as a local service and employment centre.

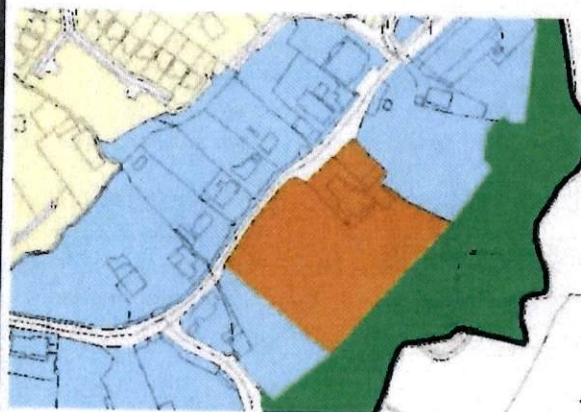
Recent commercial development has occurred in a consolidated manner within the town core in form of two and three storey buildings with a number of units in these new buildings remaining vacant. The existing town centre zoning extends for a considerable distance along Main Street incorporating a number of town centre opportunity and infill sites, providing opportunities for commercial and residential uses in the centre of the town.

It is considered that given the location of the site and its associated frontage along Main Street a town centre zoning objective would be acceptable at this location. The rezoning will serve to promote an active frontage within the village core and permissible uses as outlined in the CDP will facilitate the enhancement of the village offer.

In relation to existing community infrastructure sites, the relocation and expansion of the GAA to the Cock Hill Road has further capacity to absorb future community / social infrastructure. Furthermore, the significant community infrastructure zoning to the south west of the village of Stadalt House also caters for the provision of adequate and necessary community facilities.

It should be noted however that there is a Protected Structure identified on the site of an old burial ground associated with the adjacent church, therefore the type and nature of future development may be restricted but will be subject to detailed archeological surveys and testing before any development could be approved and built. The onus will be on the developer / owner to carry out this work.

Draft CDP



Proposed Amendment



Chief Executive's Recommendation

It is proposed to amend the land use zoning objective for the subject lands from G1 Community Infrastructure to B1 Commercial/Town or Village Centre

Appendix 3.

Proposed Stamullen Amendment No. 1.

Amendment No.:	Proposed Stamullen Amendment No. 1
Submission/ NOM/ (FTF) NOM Numbers	MH-C5-874 <i>Jim Brogan Planning Consultant on behalf of Mr Patrick Dunphy</i> NOM 154 <i>Cllr. Alan Tobin</i>
Chapter/Section	

Proposed Material Amendment

Amend the zoning from G1 Community Infrastructure to B1 Commercial/Town or Village Centre and relocate spot objective 1 (provision of a playground) from the B1 zoning to the north



Proposed amendment to zoning map showing B1 zoning and spot objective relocated to the subject lands

Appendix 4.

Extract from Chief Executive's Report - Notices of Motion –
Notice of Motion No: 154 – Alan Tobin.

Motion No:	154
Submitted by:	Alan Tobin
Previous Motion/submission no.	Grouped Submission No 6 (Part 3)
Related NOM on Draft Plan	N/A
Motion:	STA OBJ: Seek the provision of a high quality central public park including a children's playground and other appropriate recreational uses in collaboration with Meath County Council, other relevant stakeholders and the community within the life time of this plan. Such uses shall be subject to a Landscaping Masterplan in consultation with the local community.
Chief Executive's Response	
This issue was previously considered as part of Grouped submission No. 6. Part 3 of CE's Report on Submissions on Draft Plan refers;	
High Quality Public Open Space Provision including a Children's Playground	
<p>The Draft Plan identifies, as a priority, the development of a walkway along the Delvin River and the development of these lands to provide for both active and passive open space, in order to provide much needed amenity in the town. In addition, the Written Statement for Stamullen supports the provision of additional social and community infrastructure including a playground, with 2 potential locations identified. i.e. to the east of Stadt House or alternatively on lands along the Delvin River (Specific objectives STA OBJ 16 and OBJ 1).</p> <p>Whilst the issues raised in the submissions in relation to the preferred location of the playground, are noted, it is considered that a determination on the exact location of the playground is a specific local issue more relevant to the preparation of the Stamullen Local Area Plan, where it can be examined in greater detail. It is noteworthy also, that the draft LAP will be subject to public consultation where such specific issues can be raised.</p>	
Chief Executive's Recommendation	
No change recommended	

Appendix 5.

Extract from 'Meeting Minutes – Special Planning Meeting Re-
commenced on 6th February 2021 at 10am on line –
NoM No. 154 – Councillor Alan Tobin.



Miontuairiscí / Meeting Minutes

At the outset of the meeting **Councillor Nick Killian** made the following statement: *"On mature reflection overnight, I have come to the decision that it is in the best interests of my constituents who have repeatedly elected me to Meath County Council over the past 22 years that I withdraw my remarks of yesterday, under duress".*

In response, **Councillor Tommy Reilly** thanked Councillor Killian for making his statement and congratulated the Cathaoirleach on how he has conducted the meetings thus far.

Complete the Consideration of the Notices of Motion and Submissions relating to Stamullen

NoM 153 – Councillor Alan Tobin

The Notice of Motion proposed by **Councillor Alan Tobin** and seconded by **Councillor Amanda Smith** was presented by Councillor Tobin who made the case for a public park and playground for the area. There were interventions of support from a number of **Councillors: Paddy Meade; Amanda Smith; Sharon Tolan; Nick Killian; Suzanne Jamal; Gerry O'Connor; Joe Bonner; Aisling O'Neill; and Conor Tormey.**

Mr Alan Russell responded by providing an overview of the draft Development Plan's provisions for open space and community facilities and recommended no change as there was sufficient G1 and F1 zoned lands in the settlement area. Senior Planner, Mr Padraig Maguire provided some clarifications on matters raised by the elected members in their interventions, specifically on SHDs and the LAP process. The Chief Executive also outlined that she considered that the planning objectives in the draft Plan are strong enough and informed the meeting that work is on-going in terms of what is being asked for in the motion and the financial commitment is available in the capital account for such facilities.

The Chief Executive's recommendation for no change was agreed on the basis of a show of hands vote with a total of 26 members in agreement. No member was not in agreement.

NoM 154 – Councillor Alan Tobin

The Notice of Motion proposed by **Councillor Alan Tobin** and seconded by **Councillor Amanda Smith** was presented by Councillor Tobin. **Councillor Amanda Smith** raised the issue of the protected structure on the site in question. Senior Planner, Mr Padraig Maguire responded to the interventions and indicated that the recommendation was for no change. The Chief Executive's recommendation was agreed by a show of hands vote with a total of 25 members in agreement. No member was not in agreement.

Group Submission – Stamullen Development Plan Working Group

Mr. Seán Clarke informed the meeting that this submission was deferred previously and that it dealt with issues similar to those covered by NoM 153 and 154. The Chief Executive's recommendation